

BEFORE THE ARIZONA MEDICAL BOARD

In the Matter of

MARTIN CHATTMAN, M.D.

License No. 7618

For the Practice of Allopathic Medicine
In the State of Arizona.

Case No. MD-09-1532A

**ORDER FOR PROBATION AND
CONSENT TO THE SAME CONSENT**

Martin Chattman, M.D. ("Respondent") elects to permanently waive any right to a hearing and appeal with respect to this Order for Letter of Reprimand and Probation; admits the jurisdiction of the Arizona Medical Board ("Board"); and consents to the entry of this Order by the Board.

FINDINGS OF FACT

1. The Board is the duly constituted authority for the regulation and control of the practice of allopathic medicine in the State of Arizona.

2. Respondent is the holder of license number 7618 for the practice of allopathic medicine in the State of Arizona.

3. The Board initiated case number MD-09-1532A after Board staff conducted a chart review pursuant to Respondent's June 3, 2009 Board Order for a Letter of Reprimand and Probation that included periodic chart reviews. Two patients' charts were reviewed for case MD-09-1532A, 73 year-old female patient ("SL") and 75 year-old female patient ("MC").

4. Respondent first treated patient SL on October 1, 2009 when she presented with the complaints of weight check, allergy and eye pain. Respondent did not review SL's systems. Respondents' exam of SL showed a normal blood pressure, clear heart/lungs, and eyelid edema. Respondent ordered a thyroid exam, which showed a marked decrease in thyroid-stimulating hormone. Respondent saw SL again on October 28, 2009, and Respondent documented that SL felt great and her clothes were fitting better.

1 Respondent did not perform a review of systems. Respondent saw SL again three
2 additional times without documenting assessments, current medications, or known
3 allergies.

4 5. Respondent began treating patient MC on October 2, 2009 with the
5 complaints of numb fingers, carpal tunnel syndrome for one week, and pain in the wrist.
6 Respondent did not perform an exam of MC, nor a review of systems. A hormone lab
7 profile from December 2009 showed normal estrogen and progesterone levels, with a low
8 testosterone level. Respondent saw MC in follow up and ordered several labs.
9 Respondent prescribed Vesicare, Cymbalta, and Norvasc without any documentation in
10 MC's chart. Respondent also failed to adequately treat MC's hypertension.

11 6. The standard of care requires the physician's evaluation of the patient to be
12 organized and symptom specific.

13 7. Respondent deviated from the standard of care by failing to conduct
14 examinations for MC and SL's complaints of abdominal pain and numb fingers.

15 8. The standard of care when conducting an eye exam for the patient's
16 complaint of a painful eye requires a physician to inspect the cornea, iris and anterior
17 chamber, or refer the patient to an eye specialist.

18 9. Respondent deviated from the standard of care by failing to examine SL's
19 iris, cornea, or refer her to an eye specialist.

20 10. The standard of care requires a physician to adequately treat the patient's
21 hypertension in a patient with persistently high blood pressure.

22 11. Respondent deviated from the standard of care by failing to adequately treat
23 MC's hypertension.

24 12. Respondent could have potentially caused harm when performing an
25 incomplete eye exam as the health of that end-organ is jeopardized to loss. Respondent

1 placed himself in the realm of poor choices in the diagnostic arena and could open
2 insurance investigations into over-charging with such small symptom dissection. A stroke
3 or myocardial infarct could have occurred in MC, whose elevated blood pressure was
4 taken on three different dates. An abdominal catastrophe could have occurred with
5 abdominal pain.

6 13. As a result of this matter, Respondent was ordered to undergo Phase I and II
7 of the Physician Assessment and Clinical Education (PACE) Evaluation. Respondent
8 completed the PACE Evaluation on September 3, 2010. PACE determined that
9 Respondent has a sufficient fund of knowledge, but appears to be overlooking important
10 details in his exam and treatment of patients.

11 CONCLUSIONS OF LAW

12 1. The Board possesses jurisdiction over the subject matter hereof and over
13 Respondent.

14 2. The conduct and circumstances described above constitute unprofessional
15 conduct pursuant to A.R.S. § 32-1401(27)(q) ("[a]ny conduct or practice that is or might be
16 harmful or dangerous to the health of the patient or the public").

17 ORDER

18 IT IS HEREBY ORDERED THAT:

19 1. Respondent is issued an Order of Probation.

20 2. Respondent is placed on probation for **one year** with the following terms and
21 conditions:

22 a. Within **thirty days** of the effective date of the Order, Respondent shall
23 enter into a contract with a Board approved monitoring company to provide all monitoring
24 services and Respondent shall be responsible for all monitoring costs.

1 b. Chart Reviews

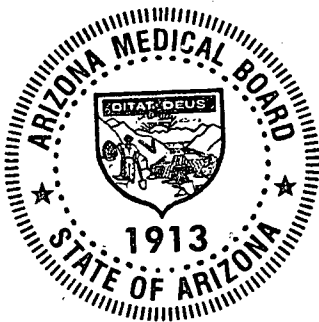
2 The Monitor shall perform biannual chart reviews.

3 c. Tolling

4 In the event Respondent should leave Arizona to reside or practice
5 outside the State or for any reason should Respondent stop practicing medicine in
6 Arizona, Respondent shall notify the Executive Director in writing within ten days of
7 departure and return or the dates of non-practice within Arizona. Non-practice is defined
8 as any period of time exceeding thirty days during which Respondent is not engaging in
9 the practice of medicine. Periods of temporary or permanent residence or practice outside
10 Arizona or of non-practice within Arizona, will not apply to the reduction of the probationary
11 period.

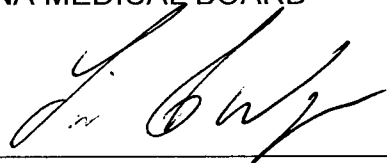
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13 DATED AND EFFECTIVE this 9TH day of FEBRUARY, 2010.

14
15 (SEAL)



ARIZONA MEDICAL BOARD

16
17 By


18 Lisa S. Wynn
19 Executive Director

20 CONSENT TO ENTRY OF ORDER

21 1. Respondent has read and understands this Consent Agreement and the
22 stipulated Findings of Fact, Conclusions of Law and Order ("Order"). Respondent
23 acknowledges he has the right to consult with legal counsel regarding this matter.

24 2. Respondent acknowledges and agrees that this Order is entered into freely
25 and voluntarily and that no promise was made or coercion used to induce such entry.

1 3. By consenting to this Order, Respondent voluntarily relinquishes any rights to
2 a hearing or judicial review in state or federal court on the matters alleged, or to challenge
3 this Order in its entirety as issued by the Board, and waives any other cause of action
4 related thereto or arising from said Order.

5 4. The Order is not effective until approved by the Board and signed by its
6 Executive Director.

7 5. All admissions made by Respondent are solely for final disposition of this
8 matter and any subsequent related administrative proceedings or civil litigation involving
9 the Board and Respondent. Therefore, said admissions by Respondent are not intended
10 or made for any other use, such as in the context of another state or federal government
11 regulatory agency proceeding, civil or criminal court proceeding, in the State of Arizona or
12 any other state or federal court.

13 6. Upon signing this agreement, and returning this document (or a copy thereof)
14 to the Board's Executive Director, Respondent may not revoke the consent to the entry of
15 the Order. Respondent may not make any modifications to the document. Any
16 modifications to this original document are ineffective and void unless mutually approved
17 by the parties.

18 7. This Order is a public record that will be publicly disseminated as a formal
19 disciplinary action of the Board and will be reported to the National Practitioner's Data
20 Bank and on the Board's web site as a disciplinary action.

21 8. If any part of the Order is later declared void or otherwise unenforceable, the
22 remainder of the Order in its entirety shall remain in force and effect.

23 9. If the Board does not adopt this Order, Respondent will not assert as a
24 defense that the Board's consideration of the Order constitutes bias, prejudice,
25 prejudgment or other similar defense.

1 10. Any violation of this Order constitutes unprofessional conduct and may result
2 in disciplinary action. A.R.S. § § 32-1401(27)(r) ("[v]iolating a formal order, probation,
3 consent agreement or stipulation issued or entered into by the board or its executive
4 director under this chapter") and 32-1451.

5 11. ***Respondent has read and understands the conditions of probation.***

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7
8 MARTIN CHATTMAN, M.D.

DATED: 12-29-10

9
10 EXECUTED COPY of the foregoing mailed
11 this 17th day of February, 2010 to:

12 Martin Chattman, M.D.
13 Address of Record

14 ORIGINAL of the foregoing filed
15 this 10th day of February, 2010 with:

16 Arizona Medical Board
17 9545 E. Doubletree Ranch Road
18 Scottsdale, AZ 85258

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20 Arizona Medical Board Staff
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